

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Attorney Docket No. 026083/0195**

#3/72  
12/27/99

In re patent application of

Hans Heinrich HEIDTMANN *et al.*

Serial No. 09/256,237

Group Art Unit: 1642

Filed: February 24, 1999

Examiner: L. Sun-Hoffman

For: NUCLEIC ACID CONSTRUCT FOR EXPRESSING ACTIVE SUBSTANCES  
WHICH CAN BE ACTIVATED BY PROTEASES, AND PREPARATION AND USE

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on a modified Form PTO-1449 is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

The submission herewith of any document is not intended as an admission either that such document constitutes competent prior art against the claims of the present application or that such document is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive the right to take appropriate action to antedate any document that does not constitute a statutory bar and that is determined to be a prima facie prior art reference against the claims of the present application, or to otherwise remove such a document as a competent reference.

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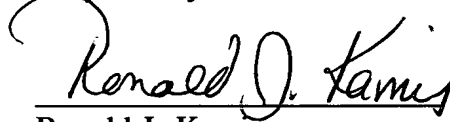
### **TIMING OF THE DISCLOSURE**

This Proprietary Information Disclosure Statement is being filed under the provisions of 37 C.F.R. § 1.97(b) before the mailing of a first Action on the merits. No fee is due. However, in the event that the Patent Office determines that a fee is due for the filing of this document, the Commissioner is hereby authorized to charge any such fee to Deposit Account No. 19-0741.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. § 609.

Dec. 21, 1999  
Date

Respectfully submitted,

  
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